

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

DAVIS TATE, JR., :
Plaintiff, :
VS. :
Lieutenant EDWARDS, *et al.*, : NO. 5:11-CV-249-WLS-MSH
Defendants. : 42 U.S.C. § 1983
: _____

ORDER

Plaintiff **DAVIS TATE, JR.**, an inmate at Baldwin State Prison (“BSP”), originally filed this 42 U.S.C. § 1983 complaint in the U.S. District Court for the Southern District of Georgia. The Southern District transferred the complaint to this Court, because it was filed against officials at BSP, all of whom are located in the Middle District of Georgia.

The filing fee for a civil action is \$350.00. 28 U.S.C. § 1914(a). A prisoner seeking to proceed without prepayment of the fee must submit both an *in forma pauperis* application and a certified copy of the trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(a)(2).

Although Plaintiff has submitted an *in forma pauperis* application (ECF No. 4), he has failed to provide the Court with a certified copy of his inmate account statement for

the past six months. Hence, the Court does not have sufficient information to determine whether Plaintiff may proceed *in forma pauperis* and, if so, the amount of any initial partial filing fee.

Should Plaintiff choose to proceed with this action, he must submit, within twenty-one (21) days of the date of this Order, a certified copy of his trust fund account statement for the last six months (or, if shorter, the time that Plaintiff has been confined at BSP). Failure to comply with this order may result in the dismissal of Plaintiff's complaint. There shall be no service of process in this case until further order of the Court.

SO ORDERED, this 23rd day of August, 2011.

S/STEPHEN HYLES
UNITED STATES MAGISTRATE JUDGE